

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 25230 of 2007(C)

PETITIONER:

**K.T.MOHAMMED ALI,
FAIBA TRADERS, POST WANDOOD, MALAPPURAM DISTRICT,
REPRESENTED BY ITS PRESIDENT, WANDOOD JAM
IYYATHUL MUJAHIDHEEN, WANDOOD,
MALAPPURAM DISTRICT.**

BY ADV. SRI.T.KRISHNAN UNNI

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, GENERAL EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.**
- 3. THE ASSISTANT EDUCATIONAL OFFICER,
WANDOOD, MALAPPURAM DISTRICT.**
- 4. M.ABDULLA,
MUKKANNAN HOUSE, WANDOOD, MALAPPURAM DISTRICT.**

BY GOVT. PLEADER SMT. SUDHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

A.K. BASHEER, J.

W.P.(C). NO. 25230 OF 2007

Dated this the 22nd day of August, 2007

J U D G M E N T

Having heard learned counsel for the petitioner and Sri. Sathyanatha Menon, who accepts notice for respondent No.4, and also the learned Government Pleader, I am satisfied that this writ petition can be disposed of without referring to the rival contentions raised by the parties.

2. It is the admitted position that petitioner has preferred Ext.P11 revision petition before respondent No.1 against Ext.P10 order issued by the Director of Public Instruction. By the impugned order, the Director had reversed the order passed by the Assistant Educational Officer and directed the officer to approve the appointment of respondent No.4 as the manager of Madrasa, A.L.P. School, Wandoor, as per Rule 4 Chapter III KER. Learned counsel for the parties submit that the revisional authority can be directed to take a decision in the matter afresh, after affording sufficient opportunity of hearing to all concerned.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P11 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within two months from the date of receipt of a copy of this judgment. Respondent No.1 shall ensure that petitioner, respondent No.4 and all others who are likely to be affected by the order that may be passed, are afforded sufficient opportunity to be heard before any decision is taken. Status quo as on today shall be maintained till a final decision is taken in the matter. Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. BASHEER, JUDGE

vps

WPC NO 25230/07

Page numbers

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007